

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-00893-TSC**

NATIONAL PUBLIC RADIO, INC. et al v. UNITED STATES
DEPARTMENT OF HEALTH AND HUMAN SERVICES
Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 03/28/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**NATIONAL PUBLIC RADIO, INC.**

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Plaintiff**ALISON KODJAK**

represented by **David J. Bodney**
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V.

Defendant**UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES**

represented by **Johnny Hillary Walker , III**
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Date Filed	#	Docket Text
03/28/2019	<u>1</u>	COMPLAINT against All Plaintiffs (Filing fee \$ 400 receipt number 0090-6028734) filed by NATIONAL PUBLIC RADIO, INC., Alison Kodjak. (Attachments: # <u>1</u> Civil

		Cover Sheet, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Summons U.S. Attorney's Office, # <u>7</u> Summons Department of Justice, # <u>8</u> Summons Department of Health and Human Services)(Kelley, Matthew) (Entered: 03/28/2019)
03/29/2019		Case Assigned to Judge Tanya S. Chutkan. (zef,) (Entered: 03/29/2019)
03/29/2019	<u>2</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 03/29/2019)
03/29/2019	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– David J. Bodney, :Firm– Ballard Spahr LLP, :Address– 1 East Washington Street, Suite 2300, Phoenix, AZ 85004. Phone No. – 602–798–5400. Fax No. – 602–798–5595 Filing fee \$ 100, receipt number 0090–6029605. Fee Status: Fee Paid. by ALISON KODJAK, NATIONAL PUBLIC RADIO, INC. (Attachments: # <u>1</u> Declaration of David J. Bodney, # <u>2</u> Text of Proposed Order)(Kelley, Matthew) (Entered: 03/29/2019)
04/01/2019	<u>4</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by NATIONAL PUBLIC RADIO, INC. (Kelley, Matthew) (Entered: 04/01/2019)
04/04/2019		MINUTE ORDER: Granting <u>3</u> Motion for Leave to Appear Pro Hac Vice. David J. Bodney is hereby admitted pro hac vice to appear in this matter on behalf of Plaintiff. Signed by Judge Tanya S. Chutkan on 4/4/19. (DJS) (Entered: 04/04/2019)
04/18/2019	<u>5</u>	NOTICE of Appearance by Johnny Hillary Walker, III on behalf of UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (Walker, Johnny) (Entered: 04/18/2019)
04/18/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/15/2019. Answer due for ALL FEDERAL DEFENDANTS by 5/15/2019. (Attachments: # <u>1</u> Affidavit of mailing)(Kelley, Matthew) (Entered: 04/18/2019)
05/13/2019	<u>7</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Walker, Johnny) (Entered: 05/13/2019)
05/15/2019		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues no later than 6/17/19. The joint status report shall be accompanied by a proposed order.. Signed by Judge Tanya S. Chutkan on 5/15/19. (DJS) (Entered: 05/15/2019)
05/16/2019		Set/Reset Deadlines: Joint Status Report due by 6/17/2019. (tb) (Entered: 05/16/2019)
06/17/2019	<u>8</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 06/17/2019)
06/18/2019		MINUTE ORDER: Having considered the parties' joint status report [8], it is hereby ordered that the parties shall file another joint report and proposed order by July 17, 2019. Signed by Judge Tanya S. Chutkan on 6/18/19. (DJS) (Entered: 06/18/2019)
06/18/2019		Set/Reset Deadlines: Joint Status Report due by 7/17/2019. (tb) (Entered: 06/18/2019)
07/17/2019	<u>9</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Walker, Johnny) (Entered: 07/17/2019)
07/18/2019		MINUTE ORDER: Having considered the parties' joint status report <u>9</u> , it is hereby ordered that the parties shall file another joint status report and proposed order on or before January 14, 2020. Signed by Judge Tanya S. Chutkan on 7/18/2019. (lctsc1) (Entered: 07/18/2019)

07/22/2019		Set/Reset Deadlines: Joint Status Report due by 1/14/2020. (tb) (Entered: 07/22/2019)
01/14/2020	<u>10</u>	Joint STATUS REPORT by ALISON KODJAK, NATIONAL PUBLIC RADIO, INC.. (Kelley, Matthew) (Entered: 01/14/2020)
01/17/2020		MINUTE ORDER: Having considered the parties' joint status report <u>10</u> , it is hereby ordered that the parties shall file another joint status report by March 2, 2020, and every 30 days thereafter. To the extent the report contains a proposed production or briefing schedule, the report shall include a proposed order. Signed by Judge Tanya S. Chutkan on 1/17/2020. (DJS) (Entered: 01/17/2020)
01/17/2020		Set/Reset Deadlines: Joint Status Report due by 3/2/2020. (tb) (Entered: 01/17/2020)
03/02/2020	<u>11</u>	Joint STATUS REPORT by ALISON KODJAK, NATIONAL PUBLIC RADIO, INC.. (Kelley, Matthew) (Entered: 03/02/2020)
04/01/2020	<u>12</u>	Joint STATUS REPORT by ALISON KODJAK, NATIONAL PUBLIC RADIO, INC.. (Kelley, Matthew) (Entered: 04/01/2020)
04/30/2020	<u>13</u>	Joint STATUS REPORT by ALISON KODJAK, NATIONAL PUBLIC RADIO, INC.. (Kelley, Matthew) (Entered: 04/30/2020)
06/01/2020	<u>14</u>	Joint STATUS REPORT by ALISON KODJAK, NATIONAL PUBLIC RADIO, INC.. (Kelley, Matthew) (Entered: 06/01/2020)
07/01/2020	<u>15</u>	Joint STATUS REPORT by ALISON KODJAK, NATIONAL PUBLIC RADIO, INC.. (Kelley, Matthew) (Entered: 07/01/2020)
07/06/2020		MINUTE ORDER: In light of the parties' resolution of the substantive dispute that formed the basis for this action, the Clerk of the Court is hereby directed to ADMINISTRATIVELY CLOSE this case. With respect to the remaining issue of attorneys' fees, the parties shall continue to file joint status reports, except that the next report is due 9/1/2020 and every 60 days thereafter. To the extent the report contains a proposed briefing schedule, the report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 7/6/2020. (DJS) (Entered: 07/06/2020)